



Approved for use through 09/30/2000. OMB 0651-0031  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
3099P017

First named inventor: LAYNE BRITTON

Application No.: 09/412,993

Group Art Unit: 2712

Filed: October 5, 1999

Examiner: Not Yet Assigned

Title: PAY PER VIEW ARCHITECTURE PROVIDING FOR LOCAL STORAGE OF CONTENT

**RECEIVED**

MAY 17 2001

OFFICE OF PETITIONS

Attention: Office of Petitions  
 Assistant Commissioner for Patents  
 Box DAC  
 Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
  - (2) Reply and/or issue fee;
  - (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and
  - (4) Statement that the entire delay was unintentional.
- 1240.00 0P

**1. Petition fee**

Small entity - fee \$ 620.00 (37 CFR 1.17(m))

Small entity statement enclosed herewith

Small entity statement previously filed

Other than small entity - fee \$ 1,240.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above noted Office Action  
 in the form of Response to Notice to File Missing Parts (identify type of reply):

- has been filed previously on
- is enclosed herewith.

B. The issue fee of \$ 1,240.00

- has been paid previously on
- is enclosed herewith.



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## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$55.00 for a small entity or \$110.00 for other than a small entity) disclaiming a period equivalent to the number of months from the date of abandonment to the filing of this petition is enclosed herewith.

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Signature

May 9, 2001

Date

Telephone

Number: (503) 684-6200

Gregory D. Caldwell, Reg. No. 39,926

Typed or printed name

12400 Wilshire Boulevard, Seventh Floor

Address

Los Angeles, California 90025

Enclosures:

- Fee Payment  
 Reply  
 Terminal Disclaimer Form  
 Small Entity Status Form

## CERTIFICATE OF MAILING/TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

May 9, 2001

Date

Signature

Mary E. Warinner

Typed or printed name of person signing certificate



Attorney's Docket No.: 03099.P017

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Layne Britton ) Group Art Unit: 2712  
Application No.: 09/412,998/3 ) Examiner: Not Yet Assigned  
Filed: October 5, 1999 )  
For: PROVIDING AUDIENCE FLOW IN A )  
PERSONAL TELEVISION DEVICE )

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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MAY 17 2001

OFFICE OF PETITIONS

RESPONSE TO NOTICE TO FILE MISSING PARTS  
FILING DATE GRANTED

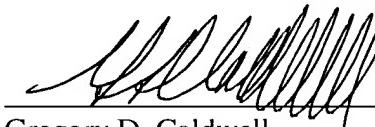
Sir:

In response to the Notice to File Missing Parts, Filing Date Granted, dated November 1, 1999, enclosed please find the following:

- 1) The statutory basic filing fee, and
- 2) The surcharge of \$130.00 as set forth in 37 CFR 1.16(e).

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 5/9/01

  
\_\_\_\_\_  
Gregory D. Caldwell  
Reg. No. 39,926

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-6200



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST-NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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1044271161 05/01/99 REFLITON

R0027

1044271161

NOT ASSIGNED

DAVID H. LUDWIG  
REPLAY NETWORKS INC.  
10000 CHERRY CREEK ROAD  
ROCKVILLE, MD 20850-4101

2712

DATE MAILED:

11/01/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

small entity (statement filed)  non-small entity is \$ 100.00.

1. The statutory basic filing fee is:

missing.

insufficient.

Applicant must submit \$ 70.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 18.00 for 18 total claims over 20.

\$ 15.00 for 3 independent claims over 3.



Please type or plus sign (+) inside this box

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PTO/SB/17 (12/99)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 2030.00)

## Complete if Known

Application No.	09/412,993
Filing Date	October 5, 1999
First Named Inventor	Layne Britton
Examiner Name	Not Yet Assigned
Group/Art Unit	2712
Attorney Docket Number	3099P017

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to credit any overpayments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

Charge Any Additional Fee(s) Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

Applicant claims small entity status. See 37 CFR 1.27.

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code	Code	Fee	Fee	Fee	Fee	Fee
101	201	355	Utility filing fee			760.00
106	320	206	Design filing fee			
107	490	207	Plant filing fee			
108	710	208	Reissue filing fee			
114	150	214	Provisional filing fee			
<b>SUBTOTAL (1)</b>		(\$ 760.00)				

### 2. EXTRA CLAIM FEES

Total Claims	-	Extra Claims	Fee from below	Fee Paid
Independent Claims	[ ] - [ ] = [ ] X [ ] = [ ]			
Multiple Dependent	[ ] - [ ] = [ ] X [ ] = [ ]			

\*\*or number previously paid, if greater. For Reissues, see below

### Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	Code	Fee	Fee	Fee
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	260	204	135	Multiple Dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ )		

## 3. ADDITIONAL FEE

### Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	Code	Fee	Fee	Fee	Fee
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	890	217	445	Extension for response within third month	
118	1,390	218	695	Extension for response within fourth month	
128	1,890	228	945	Extension for response within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	1,240.00
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)		Rep'l. Ref: 05/16/2001 SLUANG1 0013195200 Other fee (specify) name: subject: 0412993			
* Reduced by Basic Filing Fee Paid		\$50.00			
<b>SUBTOTAL (3)</b>		(\$ )			
1,370.00					

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## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Gregory D. Caldwell	Registration No. (Attorney/Agent)	39,926	Telephone	(503) 684-6200
Signature				Date	05/09/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED



PTO/SB/21 (12/97)

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DATE: 8

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application No. 09/412,993

Filing Date October 5, 1999

First Named Inventor Layne Britton

Group Art Unit 2712

Examiner Name Not Yet Assigned

Attorney Docket Number 3099P017

### ENCLOSURES (check all that apply)

 Fee Transmittal Form Assignment Papers  
(for an Application) After Allowance Communication to Group Fee Attached Drawing(s) Appeal Communication to Board of Appeals and Interferences Amendment / Response Licensing-related Papers Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) After Final Petition Routing Slip (PTO/SB/69) and Accompanying Petition Proprietary Information Affidavits/declaration(s) To Convert a Provisional Application Status Letter Extension of Time Request Power of Attorney, Revocation Change of Correspondence Address Additional Enclosure(s)  
(please identify below): Express Abandonment Request Terminal Disclaimer

Response to Notice to File Missing Parts and Form PTO-1553 (2 pages); Pet. for Revival of an Application Abandoned Unintentionally

 Information Disclosure Statement Small Entity Statement Certified Copy of Priority Document(s) Request for Refund Response to Missing Parts/ Incomplete Application

Remarks

 Response to Missing Parts under 37 CFR 1.52 or 1.53

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MAY 17 2001

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gregory D. Caldwell, Reg. No. 39,926 BLAKELY SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 9, 2001

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 9, 2001

Typed or printed name	Mary E. Warinner
Signature	
Date	May 9, 2001

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